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ABSTRACT

In 1937, the Michigan Library Association recommended to the Legislature that state funding be provided to public libraries and that a state board for libraries be appointed. In 1965, Public Act 286 established 24 library systems whose membership comprised approximately one-third of the public libraries in the state. Under Public Act 89 of 1977, Michigan library cooperatives were formed for the purpose of assisting the member public libraries in the delivery of library services. In 1982, PA540 transferred the State Library to the Legislative Branch of state government and renamed it the Library of Michigan. Today, the Library of Michigan continues to administer state aid under PA 89, 1977 and the Guidelines which establish minimum standards for staffing, accessibility and local funding for public libraries seeking state aid, as well as standards of education and experience for directors of library cooperatives and county libraries receiving grants. Following the State Aid to Public Libraries Act, Act 89 of 1977, State Aid Guidelines are outlined and include the following categories: cooperative guidelines, public library guidelines, and guidelines for school district public libraries. A chart summarizing the historical distribution of state aid appears at the end of this publication, along with a table detailing state aid payments under PA 89, 1977 and a pie chart illustrating funding of public libraries in Michigan, 1996. (AEF)

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STATE AID GUIDELINES FOR MICHIGAN LIBRARIES

1997 EDITION

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Michigan State Aid to Public Libraries:
Historical Perspective

In 1937 the Michigan Library Association recommended to the Legislature that state funding be provided to public libraries and that a state board for libraries be appointed. A total of $367,566 was appropriated and disbursed in fiscal year 1938/39. Midway through the 1939 legislative session, a bill was introduced to suspend the state aid appropriation for the following two years in order to balance the state's budget. State aid was again funded in fiscal year 1941/42 at $243,625, growing slightly each year until reaching a high of $390,760 in 1964.

In 1965, Public Act 286 established 24 library systems whose membership comprised approximately one-third of the public libraries in the state. An additional $100,000 was added to the appropriation to fund the library systems. The rate of funding began at 5¢ and grew to 25¢ per capita under PA 286.

New state aid legislation was enacted in 1977, when Public Act 89 repealed the earlier law. Under PA 89 of 1977, library cooperatives were formed for the purpose of assisting the member public libraries in the delivery of library services. A total of 17 cooperatives were formed. Each cooperative was eligible to receive a base grant of 50¢ per capita for the entire population within its geographic boundaries. Under PA 89, legally established public libraries could also apply for state aid grants. Public libraries meeting minimum standards could receive grants of 50¢ per capita, thus assuring some level of state funding for library services throughout the state. A second and equal payment was made to cooperative member librariesto support the purchase of services. The State Library, then a division of the Michigan Department of Education, was responsible for administering each of the five state aid grants under PA 89 1977, and the governing board for the State Library was referred to in the law as the State Board for Libraries.

In 1982, PA 540 transferred the State Library to the Legislative Branch of state government and renamed it the Library of Michigan. The Legislative Council, as the governing body for the Library of Michigan, assumed the duties of the State Board for Libraries and approved Legislative Guidelines for P.A. 89, 1977. The Guidelines, which were implemented on October 1, 1984, established minimum standards for staffing, accessibility and local funding for public libraries seeking state aid and established standards of education and experience for the directors of library cooperatives and county libraries receiving grants.

Today the Library of Michigan continues to administer state aid under PA 89, 1977 and the Guidelines. The full amount needed to fund all grants listed in PA 89 has not yet been reached in any annual appropriation. Therefore, the per capita amounts of the five grants have been prorated each year to distribute the entire amount of the appropriation. A chart summarizing the historical distribution of state aid appears at the end of this publication.

The following grant categories are funded under each annual appropriation for PA 89:

PA 89, §13	Public Library Cooperatives shall receive 50¢ per capita for their served population.
PA 89, §16(2)	Public Libraries shall receive 50¢ per capita for their served population if minimum standards are met.
PA 89, §16(4)	Public Libraries that meet minimum standards and are members of a cooperative library shall receive 50¢ per capita to pay for services provided by the cooperative. All or part of this amount may be used to purchase these services.
PA 89, §16(4)	A Cooperative shall receive $10 per square mile for the area it serves if the area has less than 75 persons per square mile.
PA 89, §16(5)	County public libraries serving a population of 50,000 or less with a director who meets educational requirements can receive a maximum of $400 per month or $4,800 annually for salary reimbursement. A form must be filed quarterly by the county library to claim the reimbursement.

STATE AID TO PUBLIC LIBRARIES ACT
Act 89 of 1977

AN ACT to provide for the establishment of cooperative libraries; to prescribe the powers and duties of the legislative council; to provide state aid for public libraries participating in cooperative libraries; to prescribe the powers and duties of cooperative library boards to provide an appropriation; and to repeal certain acts and parts of acts.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977; -Am. 1982, Act 541, Eff. Mar. 30, 1983.

The People of the State of Michigan enact:

397.551 Short title.

Sec. 1. This act shall be known and may be cited as the "state aid to public libraries act".

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.552 Definitions.

Sec. 2. As used in this act:

(a) "Local board" means the board of trustees or directors that has, as its primary purpose, the supervision of a local public library, or that board contracting for library service, or if such a board does not exist, the legislative body of the local government which maintains the public library.

(b) "Local support" means funds from tax sources, gifts, endowments, penal fines, or other funds received from local sources, excluding state and federal aid as stated in this act.

(c) "Public library" means a library which is lawfully established for free public purposes by 1 or more counties, cities, townships, villages, school districts, or other local governments or a combination thereof, or by a public or local act, the entire interests of which belong to the general public. It does not include a special library such as a professional, technical, or school library.

(d) "Cooperative board" means the governing board of the cooperative library.

(e) "Cooperative library" means the library or service center designated by the cooperative board to execute services established by the cooperative plan and provided to libraries participating in the cooperative.

(f) "State board" means the legislative council.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977;-Am. 1982, Act 541, Eff. Mar. 30, 1983.

Cited in other sections: Section 397.552 is cited in §§206.260 and 208.38.

397.553 Cooperative library boards; establishment; number.

Sec. 3. Cooperative library boards representing local public libraries shall be established in accordance with this act and approved by the state board. The number of cooperative boards shall be determined by the state board in accordance with section 6.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.554 Preliminary cooperative plan for library services; contents; development.

Sec. 4. A preliminary cooperative plan for library services which sets forth a statement describing the specific services that will be rendered to those libraries participating in a cooperative library, the means and agencies by which the services will be rendered without duplication of existing resources and expertise, and the cooperative board that will receive funds and execute duties shall be developed by participating local public library boards.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.555 Eligibility for membership in cooperative library.

Sec. 5. To be eligible for membership in a cooperative library, a local library shall:

(a) Maintain a minimum local support of 3/10 of a mill on State Equalized Valuation in the fiscal year before October 1 of the year before distribution.

(b) Participate in the development of cooperative library plans.

(c) Loan materials to other libraries participating in the cooperative library.

(d) Maintain an open door policy to the residents of the state, as provided by section 9 of article 8 of the state constitution of 1963.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.556 Areas included in cooperative library.

Sec. 6. A cooperative library shall include those areas consisting of:

(a) Two or more counties with a total population of at least 100,000.

(b) One county plus portions of other counties with a population of at least 100,000.

(c) One county or portion thereof with a population of at least 400,000.

(d) Portions of 2 or more counties with a population of at least 350,000.

(e) Combinations of counties or portions of counties serving a population of at least 50,000, if the region served has a population of 35 or less per square mile.

(f) The area covered by a cooperative library shall recognize the geosocioeconomic conditions within that area and regions established for governmental purposes throughout the state. A local board placed in a cooperative library shall have the option to petition the state board to be placed in a different cooperative library or to join with other local boards to form a cooperative library under this act. A local board serving an area adjoining more than 1 cooperative library shall have the option to determine the cooperative library in which it shall participate.

(g) The system board of an existing library system serving over 1,000,000 population may petition the state board for designation as a cooperative board and the state board shall designate that system board, as already constituted, as the cooperative board. If a cooperative board is a county library board, the cooperative plan shall provide for expanding the cooperative board to represent proportionately the population served in any other county or counties within the area of the cooperative library. This expanded cooperative board shall have authority over those matters affecting the operation of the cooperative library except for the property, personnel, and governmental relationships of the county whose board was designated as the cooperative board, which matters shall continue to be the responsibility of that county library board. The state board shall include in the cooperative library serving over 1,000,000 population the communities presently served by the existing system and all other communities not in another cooperative library within counties represented by members on the expanded cooperative board other than the designated system board members.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.557 Cooperative library board as representative of participating libraries; selection of members; existing systems.

Sec. 7. A cooperative library board shall be representative of the participating libraries except as specifically provided in section 6. It shall consist of 9 members with the method of selection to be stated in the approved plan as provided in section 4. In the case of existing systems which otherwise qualify as cooperative libraries, the number of board members and their relationship to existing governmental units may continue if approved by a majority of the participating libraries and specified in the approved plan.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.558 Cooperative library board; powers and duties.

Sec. 8. (1) The cooperative board is a body corporate and may sue and be sued.

(2) The cooperative board shall do all of the following:

(a) Operate the cooperative library and manage and control the cooperative library's funds and property.

(b) Select a chairperson.

(c) Establish, maintain, and operate cooperative services for public libraries in the cooperative library's area.

(d) Appoint a director or coordinator to administer the cooperative library, fix that person's compensation, and delegate to that person those powers the delegation of which is in the best interest of the cooperative library, including the power to hire necessary employees.

(e) Acquire books, periodicals, library materials, equipment, supplies, or other personal property by purchase, installment purchase contract, or lease with or without an option to purchase, or enter into a loan agreement and borrow money for that purpose.

(f) Erect buildings or acquire real property, including buildings and fixtures, by purchase, land contract, installment purchase contract, or lease with or without an option to purchase, or enter into a loan agreement and borrow money for that purpose.

(g) Enter into contracts to receive service from or give service to libraries in the state, including public, school, academic, cooperative, or special libraries, and political subdivisions of the state.

(h) Exclusively control expenditures for the cooperative library.

(i) Accept gifts and donations of property for the benefit of the cooperative library and for the purposes for which donated.

(j) Adopt bylaws and rules not inconsistent with this act and for its own government and do those things necessary to carry out the purposes of this act.

(3) All of the following shall apply to an installment purchase contract, land contract, loan agreement, or lease purchase contract entered into pursuant to subsection (2):

(a) The contract shall not constitute an indebtedness of any member of the cooperaiive library within any constitutional, charter, or statutory limitation.

(b) Principal and interest are payable solely from the revenues of the cooperative library.

(c) No member of the cooperative library shall pledge its full faith and credit to the payment of the principal and interest on the contract.

(d) Interest on the unpaid principal amount of the contract shall not be treated as excluded from gross income under the internal revenue code.

(4) An installment purchase contract, land contract, lease purchase contract, or loan agreement entered into pursuant to subsection (2) shall contain a statement setting forth the provisions of subsection (3).

(5) An installment purchase contract, land contract, lease purchase agreement, or loan agreement entered into by the cooperative board for a purpose discussed in subsection (2) that occurred prior to the effective date of the 1995 amendatory act that added this subsection is validated and made legal for all purposes.

History: 1977, Act 89, Imd.Eff. Aug. 2, 1977; -Am. 1995, Act 231, Eff. Dec. 19, 1995.

397.559 Submission and contents of plan; approval of plan; jurisdiction.

Sec. 9. Following establishment of the cooperative library board, the board shall submit to the state board a plan which designates and describes the responsibilities of the cooperative library, provides for future selection of board membership, and gives notice of the cooperative board's meeting dates. The original plan and any substantial modification shall be approved by the state board. It is expressly understood the cooperative library board has no jurisdiction over the property or management of the local library.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.560 Fiscal year and funds of cooperative library.

Sec. 10. The fiscal year of the cooperative library is October 1 to September 30, except where the cooperative library must conform to the fiscal year fixed by another state law or local charter. The funds of the cooperative library shall be deposited in banks designated by the cooperative library board.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.561 Use of facilities and resources of member libraries; availability of services of cooperative library; appeal from refusal of service.

Sec. 11. Following establishment of the cooperative library board, residents of the cooperative library's area are eligible to use the facilities and resources of the member libraries subject to the rules of the cooperative library plan. Services of the cooperative library, including those of participating libraries,

are to be available at reasonable times and on an equal basis within the areas served to school children, individuals in public and nonpublic institutions of learning, and a student or resident within the area. An applicant refused service may appeal to the state board which shall review the operation of the cooperative library and may withhold state aid funds until the services are granted.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977; -Am. 1984, Act 432, Eff. Jan. 11, 1985.

397.561a Nonresident borrowing fees.

Sec. 11a. A library may charge nonresident borrowing fees to a person residing outside of the library's service area, including a person residing within the cooperative library's service area to which that library is assigned, if the fee does not exceed the costs incurred by the library in making borrowing privileges available to nonresidents including, but not limited to, the costs, direct and indirect, of issuing a library card, facilitating the return of loaned materials, and the attendant cost of administration.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977; -Am. 1984, Act 432, Eff. Jan. 11, 1985.

397.562 Resolution requesting local library to become participating library; rights, duties, and privileges of participating library.

Sec. 12. Once a cooperative plan has been accepted by the state board, and a cooperative library board established, the board of a local library shall adopt a resolution requesting the local library become a participating library in the cooperative library. Duplicate copies of the resolution, certified by the clerk of the local board, shall be filed with the cooperative board. The cooperative board shall accept or show reason for denial of the request for membership within 60 days after filing. When the cooperative board has accepted the resolution, the resolution and the acceptance shall be endorsed and a copy filed with the state board. The participating library has the same rights, duties, and privileges as other libraries participating in that cooperative library.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.563 State aid for cooperative libraries.

Sec. 13. A cooperative library shall be granted continuing state aid at the rate of 50 cents per capita for its served population.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.564 Cooperative board to provide services to member libraries within area of cooperative library.

Sec. 14. The cooperative board shall provide, directly or through a written contract, services to member libraries within the cooperative library's area. The services, subject to standards approved by the state board, may include:

(a) A central pool or rotating book collection.

(b) In-service training.

(c) Book selection aids.

(d) Bibliographic services.

(e) Audio-visual services.

(f) Bookmobile service or other outlets to outlying areas.

(g) Publicity and public relations.

(h) Printing.

(i) A centralized purchasing operation.

(j) Centralized processing including cataloging and marking.

(k) Reference services.

(l) Delivery service.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.565 Payment for services by member libraries; cooperative library headquarters.

Sec. 15. When the state aid grant is insufficient to provide all services, the member libraries may be required to pay for services in a priority order to be specified in the cooperative plan. Cooperative library headquarters shall be linked to the library of Michigan and may be required upon adequate funding to provide other services considered essential to good public library service, and so designated by the state board.

History: 1977, Act 89, Imd. Eff. Aug. 2, 1977; -Am. 1982, Act 541, Eff. Mar. 30, 1983.

397.566 State aid for public libraries; reimbursing certain public libraries for portion of salary of head librarian; employee wage increases; certifying salary of head librarian.

Sec. 16. (1) A public library shall receive 35 cents per capita from state aid during the fiscal year 1977-78 if in the prior year the library received local support equal to that required by this act.

(2) A public library shall receive 50 cents per capita from state aid during the fiscal year 1978-79 if in the prior year the library received local support equal to that required by this act, the library has not reduced its local support by an amount equal to, or larger than, the state aid from the previous year without the approval of the state board, and the library meets the minimum standards established by the state board and this act.

(3) A public library belonging to a cooperative library shall receive from state aid for the fiscal year 1977-78 an additional 15 cents per capita, all or a part of which must be used to pay for cooperative services from the cooperative board as provided by section 15 and the cooperative plan.

(4) A public library belonging to a cooperative library shall receive from state aid each year after fiscal year 1977-78 an additional 50 cents per capita, all or part of which shall be used to pay for cooperative services from the cooperative board as provided by section 15 and the cooperative plan. When the cost of the cooperative library services has been paid, any remaining portion of the grant may be applied to local services under subsection (2). Each public library cooperative which qualifies under this act during fiscal year 1977-78 and following years shall receive an amount of $10.00 per square mile for the area which it serves if the area served has less than 75 people per square mile.

(5) A public library which is a county library serving a population of 50,000 or less which appoints to the office of head librarian a person with either a bachelor of arts or a

bachelor of science degree from a college or university approved by an accrediting association of more than statewide standing, including or supplemented by 1 full year of training in a library school accredited by the American Library Association and with at least 4 years' experience in an administrative capacity in an approved library, shall be reimbursed for that portion of the salary not exceeding $400.00 for any 1 month or $4,800.00 in any 1 year, if the county library received during the last completed fiscal year before the year in which distribution is to be made, from the county or counties not less than $3,600.00 exclusive of money received from federal or state grants in aid to the library. Wage increases to present employees shall be paid equally by the state and local governments. Before September 6, December 6, March 6, and June 6 of the year of distribution, the county library board or the board's authorized agent shall certify to the state board the actual amount of the salary paid the head librarian during the 3-month period immediately preceding those months.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.567 Compliance with certification requirements as qualification for state aid.

Sec. 17. A cooperative library and public library shall conform to certification requirements for personnel as established by the state board in order to qualify for state aid.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.568 Application for state aid; certification.

Sec. 18. A cooperative library and public library desiring to participate in state aid shall apply before February 1 of each year of distribution. The applicant shall certify to the state board the amount of money received from each source during the last completed fiscal year before October 1 of the year of distribution.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.569 Distribution of state aid; statement; vouchers; warrants.

Sec. 19. The state board shall prepare a statement of the amount to be distributed in accordance with this act. Vouchers for disbursement of state aid shall be signed by an authorized agent of the board and delivered to the department of management and budget, which shall draw up warrants on the department of treasury in favor of the fiscal agent of the cooperative or local board. State aid shall be distributed by September 30 of the year of distribution.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.570 Deposit of money in separate fund; review of expenditures.

Sec. 20. A cooperative library or public library receiving state aid shall deposit the money in a separate fund. Expenditures from that fund are subject to review by the state board or its authorized representative.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.571 Expenditure of state aid.

Sec. 21. State aid paid to a cooperative library or a public library may be used for any expenditure, including the cost of intersystem or intrasystem contracts.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.572 Dispute; hearing; decision.

Sec. 22. When there is a dispute concerning the cooperative library to which a public library shall belong, services rendered to member libraries, or the operations of a cooperative system which cannot be resolved on the local level, the state board may hear the case. The decision of the state board shall be final.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.573 Needs considered by state board in carrying out powers and duties.

Sec. 23. The state board shall consider the following needs in carrying out its powers and duties:

(a) Library facilities shall be provided to residents of the area covered by a cooperative library without needless duplication of facilities, resources, or expertise.

(b) Establishment of a local library may be approved for state aid purposes where local conditions require an additional local library.

(c) Existing libraries and new libraries shall cooperate to provide adequate library services at a reasonable cost.

(d) Increased effort shall be made to provide residents the right to read with added emphasis on areas which normally cannot provide those services.

(e) Local responsibility, initiative, and support for library service shall be recognized and respected when provision is made for adequate local and cooperative library service.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.574 Repealed. 1982, Act 541, Eff. Mar. 30, 1983.

Compiler's note: The repealed section conferred authority on state board to promulgate rules.

397.575 Appropriation.

Sec. 25. There is appropriated for public libraries from the general fund of the state for the fiscal year ending September 30, 1977, and for each fiscal year thereafter, the sum necessary to fulfill the requirements of this act. The appropriation shall be distributed as provided in this act.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

397.576 Repeal of §§397.501 to 397.527.

Sec. 26. Act No. 286 of the Public Acts of 1965, being sections 397.501 to 397.527 of the Compiled Laws of 1970, is repealed.
History: 1977, Act 89, Imd. Eff. Aug. 2, 1977.

State Aid Guidelines

As approved by the Legislative Council

Definitions.

"**Act**" means the State Aid to Public Libraries Act, 1977 PA 89, MCL 397.551 to 397.576 of the Michigan Compiled Laws.

"**Cooperative library**" means a special purpose library designated solely to provide cooperative services.

"**Council**" means the Legislative Council.

"**Local support**" means all funds from tax sources, gifts, endowments, penal fines, or other funds received from local sources, excluding state and federal aid and in-kind contributions.

"**Participating library**" means a member public library that has joined a cooperative library.

"**Population**" means the population according to the last official federal census or special federal census.

"**Public Library**" mean a library that is lawfully established for free public purposes by one or more counties, cities, townships, villages, school districts, or other local governments singly or in combination, or by a public or local act, the entire interests of which belong to the general public. Public library does not include a special library, such as a professional, technical, or school library.

"**Served population**" means the total population of the area designated for a cooperative library.

Cooperative Guidelines

Cooperative Library Plan.

A cooperative library board shall submit to the Library of Michigan a plan for the cooperative library consisting of all of the following:

- Bylaws governing its administration, including the terms and methods of selecting board members, and the full text of the Policy on Disputes set forth by Council guidelines.
- A plan of services offered by the cooperative library and a description of the cooperative library services that each participating public library will offer to the cooperative library area.
- The role of a contracting library or service center and the services it will provide to members of the cooperative library.
- The factors necessary for the Council and each cooperative library board to evaluate compliance with the Act based upon prevailing geosocioeconomic conditions within the cooperative library area.
- A specification of services to be paid for by members.
- Budget approval process.
- Intervals at which all member libraries shall meet to discuss cooperative library matters.
- Multitype library involvement.
- Procedures for completion of an annual audit report.
- Procedures for compliance with the Open Meetings Act.
- Provisions for an Advisory Council representing member libraries.
- Procedures for cooperative membership withdrawal.

A cooperative library board shall do all of the following when modifying a cooperative library plan:

- Submit any modifications to the Library of Michigan within 60 days of adoption.
- Provide adequate notice to all local public library boards concerning the exact nature of the proposed changes.
- Provide reasonable opportunity for local board reaction to the proposed changes.
- Provide notice to all participating libraries of any hearings on the modifications to be held by the Council or the Library of Michigan.
- Provide notice to all participating libraries of the submission of the proposed modification to the Library of Michigan.
- Proposed changes should be adopted by majority vote of all participating libraries, not by cooperative board action.

Personnel Requirement.

A cooperative library shall have on duty for at least 6 months of the reporting year a Director with a Librarian's Permanent Professional Certificate and at least 4 years of administrative experience. It shall have personnel with expertise in networking, consulting, and intra-cooperative coordination.

State Aid Payment Schedule.

A cooperative library may submit an application for state aid from October 1 to February 1 of the year of distribution. The Library of Michigan shall issue 80% of the payment according to the following schedule:

Filing date	Payment date
10/1–10/15	11/1
10/16–11/15	12/1
11/16–12/15	1/1
12/16–1/16	2/1

The last 20% of the payment shall be made between February 1 and September 30.

Library cooperatives are required to file with the Library of Michigan a copy of an annual financial audit within twelve months following the close of each fiscal year. The final 20% of state aid shall not be paid until the Library of Michigan has received and reviewed the prior year audit report. If material audit findings are disclosed in the annual financial audit report, the cooperative library shall submit a corrective action plan for review and approval by the Library of Michigan and the Council. The final 20% of state aid shall not be paid until all financial audit issues have been resolved. A copy of documents verifying current fidelity bond coverage are also required for each cooperative in order to receive state aid.

Public Library Guidelines

Qualifications for State Aid.

A public library is eligible for state aid under section 16(2) of the act if it meets guideline requirements. A public library is eligible for state aid under section 16(4) of the act if it complies with guidelines and is a participating member of a cooperative library not less than 30 days prior to September 30 of the reporting year.

Noncompliance With Requirements.

If the library fails to comply with the requirements for receipt of state aid and the public library board or cooperative board proves that the failure to meet a requirement was not a continuing violation but a temporary condition, the Library of Michigan may waive the requirement upon presentation of a course of action for compliance with the requirement before the end of the next reporting year.

If the Library of Michigan considers a public library's noncompliance with a requirement for state aid to be willful or if the public library fails to comply with the course of action on which a waiver is based, the Council shall review the matter and decide whether to grant a waiver so that state aid may be paid to the library. A separate waiver is required for each fiscal year.

Classification of Libraries.

For the purpose of applying standards for the receipt of state aid, public libraries are classified on the basis of population into the following categories:

Population Served	Class
0 - 3,999	I
4,000 - 6,999	II
7,000 - 11,999	III
12,000 - 25,999	IV
26,000 - 49,999	V
50,000 or over	VI

In order to receive state aid, a public library shall meet the standards for accessibility and personnel set forth in these guidelines. A public library that shifts to a higher class level because of a change in population shall meet the higher level of standard for accessibility and personnel not later than the last month of the public library's next full fiscal year following notification by the Library of Michigan of the shift in class level.

Open Hours Requirement.

A public library shall be accessible to the public in accordance with the following table and hours shall include evening hours or weekend hours or both:

Class	Minimum Open Hours to the Public
I	15 hours per week
II	20 hours per week
III	30 hours per week
IV	40 hours per week
V	50 hours per week
VI	55 hours per week

If a public library has more than one branch, and if the hours for the main library building and each established branch library are different, the unduplicated hours may be added together to satisfy the minimum open hours requirement. The minimum open hours requirement must be maintained for not less than 9 months of the 12 month operating period. If a reduced hours schedule is implemented, the library must be open not less than 10 hours per week.

Library Personnel.

Candidates for certification by the Library of Michigan shall furnish credentials to the Library of Michigan for evaluation. Proof of education may be by transcript from the educational institution or a statement from the proper official of a high school, community college, 4-year college, or library school granting the credits. The Library of Michigan shall certify qualified library personnel in accordance with the following seven classifications:

I. A **Librarian's Permanent Professional Certificate** shall be granted to a person who has the following qualifications:
   - A bachelor's degree from a college or university accredited by a regional accrediting body.
   - A master's degree or its equivalent from a library school accredited by the American Library Association.
   - Following completion of the educational requirements, 4 years of satisfactory professional experience in a library or libraries approved by the Library of Michigan.

II. A **Librarian's Professional Certificate** shall be granted to a person who meets the educational qualifications required for a Librarian's Permanent Professional Certificate. Upon completion of the 4-year experience requirement, the certificate may be exchanged for a Librarian's Permanent Professional Certificate.

III. A **Special Professional Certificate** shall be granted to an individual having a master's degree in a special subject field other than library science or in library science from a curriculum not accredited by the American Library Association.

IV. A **Limited Professional Certificate** Class A shall be granted to an individual who has the either of the following qualifications:
   - A bachelor's degree with a major(24 semester hours or its equivalent) in library science.
   - A bachelor's degree and current enrollment in a library school accredited by the American Library Association.

V. A **Limited Professional Certificate** Class B shall be granted to an individual who is a college graduate with a major (24 semester hours or the equivalent) in a subject field other than library science.

VI. A **Library Technician's Certificate** shall be granted to an individual upon completion of a 2-year library technician curriculum approved by the Library of Michigan.

VII. A **Certificate of Library Experience** shall be granted to an individual who has graduated from high school and has successfully completed a Beginning Workshop that is approved by the Library of Michigan. This training must be completed within 2 years of the individual's appointment. The certificate is valid for 3 years and may be renewed by the Library of Michigan upon submission by the applicant of transcripts of his or her renewal hours of approved training equal to 3.2 CEUs, 32 contact hours, or 3 credit hours from a college or university.

Minimum Personnel Requirements.

A public library shall include personnel certified in accordance with the following table (certification at a higher level meets certification requirement for lower levels):

Class	Certificate for Head	Certificate for Support Staff
I	VII	No requirement
II	VII	No requirement
III	V	One VI or VII*
IV	II	One II, III, IV, or V*
V	I	One II or III/20,000 served**
VI	I	One II or III/20,000 served**

**Exclusive of Head* ***Inclusive of Head*

The personnel requirements do not apply with respect to personnel with valid certificates who were employed as of October 1, 1984. When an individual employed as of October 1, 1984, leaves the position, the position must be filled in compliance with the minimum requirements in order for the library to remain eligible for state aid.

Federal Census Guideline for Personnel.

A public library that is not in compliance with personnel requirements due to a change in class level following the application of a decennial census is eligible for state aid so long as the personnel continued to have valid certificates and were employed before the library received notification of the change in class level. When an individual employed before the change in class level leaves the position, the position must be filled in accordance with the personnel requirements in order for the library to remain eligible for state aid.

Employment of Qualified Personnel During Required Hours.

A public library shall employ qualified persons for the total number of hours the library is required to be open. For Class V and VI public libraries, the directorship position and the required support staff positions may be shared and satisfied by several qualified persons during the required open hours. It is preferred that properly certified persons be available at all times when the library is open to the public.

The director and other personnel of a public library may be appointed to serve in dual capacity with a cooperative library, providing that the time the person spends in each position is in direct ratio to the salary received for that position.

Librarian Certification Revocation.

Pursuant to Public Acts 235-240 and 336 of 1996, which took effect January 1, 1997, courts may order the suspension of occupational and drivers licenses. The broad definition of a "certificate" appears to include the librarian certification program that the Library of Michigan conducts in support of the State Aid to Public Libraries grants provided under the State Aid Act, P.A. 89 of 1977 as amended. If a circuit court issues an order to revoke a certificate, the Library of Michigan will comply with the court order that required it. Notification will be provided to the library currently employing the individual according to state aid files maintained by the Library of Michigan.

Local Support Financial Requirement.

In order to receive State Aid, each public library shall maintain a minimum local support level of 3/10 mill on state equalized valuation (SEV) for the legal service area of that library in the last completed fiscal year before October 1 of the year of distribution. In the case of a public library that has contracted with other governmental units for library services, if the total local support for the legal service area and the contractual area does not equal or exceed the 3/10 mill requirement, each governmental unit shall be treated as a separate unit and each unit shall meet the 3/10 mill requirement.

The fiscal year reporting cycle of public libraries may extend over a 21 month period. If a public library operates on other than a calendar year basis, the determination of whether the public library meets the 3/10 mill standard shall be based on SEV information dated 2 years before the fiscal year in which the distribution of state aid is being made. If a public library operates on a calendar year basis, the determination shall be based on SEV information dated 3 years before the fiscal year in which the distribution of state aid is made.

If the SEV information for a public library contains valuations of special construction sites that do not generate revenues for the public library serving the area, the Library of Michigan may implement a special SEV adjustment to establish a more equitable minimum financial support standard for that public library.

The Library of Michigan may grant a 1-year waiver of the minimum local support requirement if the local support level is $250.00 or less below the 3/10 mill requirement and written communications indicate that the requirement will be satisfied for the next reporting year.

Contract Area Populations.

State Aid payments to libraries with contract populations shall be calculated in accordance with all of the following:

- A public library's state aid service population shall include a contract area population if the library has served the contract area for 6 months or more during the library's state aid reporting year.
- If two or more public libraries have each served the same contract area for less than 6 months during their respective reporting years, then the library with the greatest time of service to the contract area within its reporting year shall include the contract area in its state aid service population.
- If two public libraries have served the same contract area for the same length of time, but for less than 6 months within their reporting year, the public library whose contract was in force the nearest to October 1 of the year of state aid distribution shall include the contract area in its state aid service population.
- If a contract area is served by only one public library for less than 6 months of its reporting year, and no other library has a claim to the contract area, that public library shall include the contract area in its state aid service population.

Payment of State Aid.

Public libraries may apply for state aid before February 1 of the year of distribution. The Library of Michigan will issue payments in accordance with the following guidelines:

- Beginning November 1 of the year of distribution, approved public libraries shall be processed for 80% of the estimated payment.
- All data shall be finalized on or before September 30 of each year and all eligible public libraries shall receive the last 20% of the payment.

If the state appropriation for state aid to public libraries does not permit payout according to the formula set forth in the Act, the Library of Michigan shall determine a pro rata portion to be allocated to qualifying libraries in accordance with sections 13 and 16 of the Act. The portions determined shall be divided by the number of library recipients that qualify by February 1 of the state fiscal year.

Late Applications.

State Aid may be paid to a public library that submits a late application if the public library furnishes a letter of intent to file by February 1. The letter of intent to file must include a satisfactory explanation outlining the cause for the late filing. All late State Aid applications must be received by the Library of Michigan not later than March 31. Applications received after March 31 will not be eligible to receive State Aid.

Dispute Resolution.

The Library of Michigan shall encourage all parties to a cooperative library dispute to resolve their disputes at the local level. If a dispute cannot be resolved locally, the Library of Michigan may investigate and mediate the dispute.

A dispute may be submitted to the Council for resolution if all of the following steps have been taken:

- The Director of the public library has met with the Director of the cooperative library and attempted in good faith to resolve any problems.
- Upon failure of the respective library directors to achieve a resolution, the board of each library involved, following a review of the issues, has petitioned the cooperative library Director and board in writing for redress of the matters in dispute specifying the remedies sought.
- The cooperative library Director has presented the petition, along with his or her recommendations, to the cooperative library board within 90 days after receiving the petition and has promptly reported the cooperative library board's conclusions in writing to all parties concerned.
- Upon failure of the cooperative library board to resolve the issue, the cooperative library board or the involved library board has submitted the dispute to the State Librarian along with copies of all documentation.
- The State Librarian has mediated the dispute.
- If mediation failed to resolve the dispute, the State Librarian has referred the matter with recommendations and documentation to the Library of Michigan Board.
- Upon failure of the Library of Michigan Board to resolve the issue, the State Librarian has submitted a request for review to the Council, together with recommendations and documentation of the dispute, including evidence that remedies were exhausted as required.

Upon receipt from the State Librarian of a request for review of a dispute, together with the State Librarian's recommendations and the required documentation, the Council may review the matter. If the Council decides to hear the matter, its decision is final.

Guidelines for School District Public Libraries

The board of education shall appoint a library board, commission, or committee charged with making recommendations for the development of public library service.

The board of education may ascribe to the library board, commission, or committee any powers and duties necessary to implement the development of public library services.

The board of education shall budget separately funds for the public library program, exclusive of funds for school library service, and report expenditures to the Library of Michigan annually.

Penal fines, library millages, money donated to or collected by the library, grants of state aid to public libraries, and the interest on these funds shall be used for public library service only.

A school district public library classified as a "school-public library combination" and located in a school building shall meet all of the following minimum requirements in order to receive state aid:

- The personnel requirements for public library service shall be those designated for the particular class of library as outlined in state aid guidelines for certification of public library staff. If the librarian serves a dual role as school librarian and public librarian, additional adult assistance shall be provided.
- The library shall not be used regularly as a classroom or study hall.
- The total number of hours the library is open to the public shall be those outlined in the state aid guidelines for hours open for the particular class of library. Public library service shall be maintained 12 months of the year. During the months the school is in operation, the library shall be open at least 10 hours per week outside the schedule of school hours.

  School-public library combinations located in school buildings are encouraged to meet the following guidelines; failure to comply will not result in a loss of state aid.
- Libraries shall be located conveniently for community use, with designated parking and a separate entrance for public use.
- In order to facilitate community use of the library during school hours, the library shall include a separate reading area with seating to accommodate non-school users, according to the following minimum formula:

Population Served	Square Footage	Seats
2,499 or under	150 square feet	5 seats
2,500 to 4,999	210 square feet	7 seats
5,000 to 9,999	300 square feet	10 seats
10,000 or over	450 square feet	15 seats

- Although the total resources of the library shall be available to the total community as feasible, the library shall acquire materials suited to the needs of the pre-school child and the adult on a regular basis.
- A continuing public information program shall be planned to promote the use of the public library by the total community.
- A sign shall be placed outside the building announcing the name of the public library and the hours per week it is open for use by the general public. Adequate directional signs shall be provided within the building.

STATE AID TO PUBLIC LIBRARIES AND LIBRARY COOPERATIVES

Details of State Aid Payments Under P.A. 89 1977

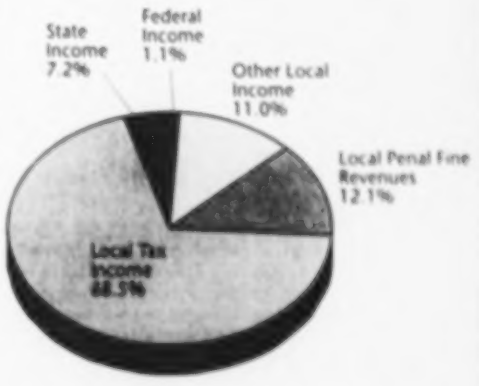
	1991/92	1992/93	1993/94	1994/95	1995/96	1996/97
A. Grant Type						
1. County Reimb. Salaries	$51,369	$41,317	$40,197	$52,161	$56,706	$56,091
2. Public Libraries						
-Min. Standards	3,606,665	3,506,686	3,455,690	4,179,488	4,179,931	4,207,230
-Coop. Membership	3,564,887	3,468,326	3,420,588	4,175,885	4,175,874	4,202,754
3. Library Cooperatives						
-Per Capita	3,634,133	3,538,895	3,527,949	4,252,600	4,246,874	4,276,604
-Density	241,746	235,276	227,376	274,266	275,015	276,921
	$11,098,800	$10,790,500	$10,671,800*	$12,934,400	$12,934,400	$13,019,600
B. Payment Rate						
1. County Reimb. Salaries	$3,786	$3,641	$3,627	$4,377	$4,369	$4,399
2. Public Libraries						
-Min. Standards	38.9¢	37.9¢	37.7¢	45.6¢	45.5¢	45.8¢
-Coop. Membership	38.9¢	37.9¢	37.7¢	45.6¢	45.5¢	45.8¢
3. Library Cooperatives						
-Per Capita	38.9¢	37.9¢	37.7¢	45.6¢	45.5¢	45.8¢
-Density	$7.78	$7.58	$7.55	$9.12	$9.10	$9.17

*Reflects 1.1% reduction of original appropriation

FUNDING OF PUBLIC LIBRARIES IN MICHIGAN – 1996

In the 1996 Survey of Public Library Funding:

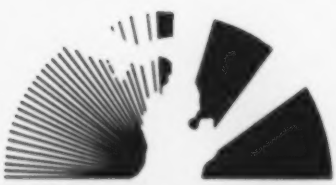
- ***Michigan public libraries reported that 68.5% of library funding is provided through a direct voted millage or as an appropriation from general funds of the governing municipality.***
- ***Penal fine funds are provided to libraries through the court system, using income received for violations of state laws. This income is apportioned at the county level and varies widely. The 1996 overall state average of penal fine income is 12.1% of total income.***
- ***The Detroit Public Library receives state aid to public libraries funding, and is allocated additional state funds through a line item in the General Government Appropriation. This appropriation was included in calculating the percentages used in this report.***
- ***Other local income reflects miscellaneous monies from gifts, foundations, interest, overdue fines and other types of income received at the local level. This income represents 11.0% of total public library income.***



MICHIGAN STATE AID PAYMENTS SINCE 1938

Year	Public Library Per Capita Grants	Equalization Grants	Establishment Grants	Co. Library Development (Reimbursement) Grants	Cooperative/ System Grants	Total Amount Distributed
1938-39	$ 311,626	$ 35,940	$ 20,000	$ -0-	$ -0-	$ 367,566
1941-42	181,191	37,434	25,000	-0-	-0-	243,625
1942-43	180,974	41,446	21,000	-0-	-0-	243,420
1943-44	217,490	67,822	7,000	-0-	-0-	292,312
1944-45	218,353	67,975	7,000	-0-	-0-	293,328
1945-46	269,711	85,858	7,000	-0-	-0-	362,569
1946-47	270,189	85,826	7,000	-0-	-0-	363,015
1947-48	270,373	92,873	-0-	-0-	-0-	363,246
1948-49	270,695	92,852	-0-	-0-	-0-	363,547
1949-50	322,731	-0-	-0-	39,252	-0-	361,983
1950-51	313,352	-0-	-0-	48,573	-0-	361,925
1951-52	310,982	-0-	-0-	51,075	-0-	362,057
1952-53	310,435	-0-	-0-	51,525	-0-	361,960
1953-54	253,353	-0-	-0-	50,650	-0-	304,003
1954-55	253,374	-0-	-0-	50,070	-0-	303,444
1955-56	253,373	-0-	-0-	56,367	-0-	309,740
1956-57	253,384	-0-	-0-	74,338	-0-	327,722
1957-58	293,969	-0-	15,000	77,900	-0-	386,869
1958-59	293,961	-0-	-0-	86,217	-0-	380,178
1959-60	293,979	-0-	-0-	79,090	-0-	373,069
1960-61	293,986	-0-	-0-	73,803	-0-	367,789
1961-62	293,953	-0-	-0-	84,516	-0-	378,469
1962-63	293,975	-0-	-0-	91,039	-0-	385,014
1963-64	293,960	-0-	-0-	96,800	-0-	390,760
1964-65	293,954	-0-	-0-	98,800	100,000	492,754
1965-66	321,475	-0-	-0-	91,600	206,925	620,000
1966-67	338,671	-0-	-0-	95,400	565,928	999,999
1967-68	349,966	-0-	-0-	84,100	765,934	1,200,000
1968-69	354,364	-0-	-0-	91,200	754,436	1,200,000
1969-70	353,016	-0-	-0-	87,500	959,484	1,400,000
1970-71	356,131	-0-	-0-	97,800	946,069	1,400,000
1971-72	403,72*	-0-	-0-	95,950	1,425,317	1,924,996
1972-73	408,032	-0-	-0-	96,000	1,420,968	1,925,000
1973-74	2,494,328	-0-	-0-	99,000	1,706,672	4,300,000
1974-75	2,556,626	-0-	-0-	104,800	1,914,494	4,575,920
1975-76	2,593,785	-0-	-0-	108,300	1,728,915	4,431,000
1976-77	2,626,965	-0-	-0-	111,400	1,692,635	4,431,000
1977-78	3,426,620	-0-	-0-	51,734	3,652,646	7,131,000
1978-79	4,641,940	-0-	-0-	35,233	2,453,826	7,131,000
1979-80	5,133,941	-0-	-0-	37,476	2,709,583	7,881,000
1980-81	4,447,410	-0-	-0-	33,099	2,350,491	6,831,000
1981-82	4,959,036	-0-	-0-	34,032	2,606,932	7,600,000
1982-83	4,370,187	-0-	-0-	31,745	2,298,068	6,700,000
1983-84	5,129,801	-0-	-0-	38,381	2,831,818	8,000,000
1984-85	5,138,838	-0-	-0-	38,260	2,822,902	8,000,000
1985-86	5,410,496	-0-	-0-	35,340	2,954,164	8,400,000
1986-87	5,666,615	-0-	-0-	45,594	3,087,791	8,800,000
1987-88	6,819,571	-0-	-0-	58,052	3,742,177	10,619,800
1988-89	6,813,653	-0-	-0-	65,101	3,741,046	10,619,800
1989-90	6,702,222	-0-	-0-	60,260	3,664,918	10,427,400
1990-91	6,268,969	-0-	-0-	54,850	3,387,081	9,710,900
1991-92	7,171,552	-0-	-0-	51,369	3,875,879	11,098,800
1992-93	6,975,612	-0-	-0-	41,317	3,774,171	10,790,500
1993-94	6,876,278	-0-	-0-	40,197	3,755,325	10,671,800
1994-95	8,355,373	-0-	-0-	52,161	4,526,866	12,934,000
1995-96	8,355,805	-0-	-0-	56,706	4,521,889	12,934,000
1996-97	8,409,984	-0-	-0-	56,091	4,553,525	13,019,600

*No appropriations in FY 1940 and FY 1941



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